

### IN THE CLAIMS

This listing of claims replaces all previous listings:

1. (Currently Amended) A non-aqueous electrolyte battery comprising: a battery device  
said battery device further including:  
  
an anode having an anode mixture containing a carbonaceous gas absorbing material; ~~and~~  
an anode active material selected from the group comprising lithium or lithium alloys;  
~~and~~ a cathode having a cathode mixture containing a cathode active material;  
a separator between said anode and the said cathode being layered together with a  
~~separator therebetween;~~  
  
a solid electrolyte including a fluorine-based high molecular material, a polymer material  
and an electrolyte salt contained therein; and  
  
a film-shaped exterior material housing therein said battery device and the solid  
electrolyte,  
  
wherein,  
  
at least one of said cathode and said anode mixture includes a gas adsorbing carbon  
material formed of a carbonaceous material including an electroconductive carbon black of very  
high purity ~~sold under the trademark KETJENBLACK™~~ having a specific surface not less than  
30 m<sup>2</sup>/g, said gas adsorbing carbon material being added to said anode mixture and/or said  
cathode mixture for adsorbing a gas evolved within the battery.
2. (Previously Presented) The non-aqueous electrolyte battery according to claim 1,  
wherein said gas adsorbing carbon material carbonaceous material further includes one or both  
of carbon black and activated carbon.

3. (Original) The non-aqueous electrolyte battery according to claim 1, wherein said gas adsorbing carbon material, when added to said anode mixture, is added in an amount not less than 0.1 wt% and not larger than 6 wt% of the total weight of the anode mixture.

4. (Previously Presented) The non-aqueous electrolyte battery according to claim 2, wherein, activated carbon is added as said carbonaceous material to said cathode mixture, said gas adsorbing carbon material is added in an amount not less than 0.2 wt% and not larger than 8 wt% of the total weight of the cathode mixture.

5. (Previously Presented) The non-aqueous electrolyte battery according to claim 2, wherein, carbon black is added as said carbonaceous material to said cathode mixture, and said gas adsorbing carbon material is added in an amount not less than 0.2 wt% and not larger than 4 wt% of the total weight of the cathode mixture.

6. (Original) The non-aqueous electrolyte battery according to claim 1, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

7. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein said solid electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said polymer material, in addition to said electrolyte salt.

8. (Withdrawn) A non-aqueous electrolyte battery comprising  
a battery device including an anode having an anode mixture layer containing an anode active material on an anode current collector, said anode having an exposed anode current collector portion exposing said anode current collector, and a cathode including a cathode mixture layer containing a cathode active material on a cathode current collector, said cathode

having an exposed cathode current collector portion exposing said cathode current collector, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material formed of a carbonaceous material with specific surface not less than  $30 \text{ m}^2/\text{g}$ , for adsorbing a gas evolved within the battery; and

a film-shaped exterior material housing therein said battery device, said solid electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to said exposed anode current collector portion and/or the exposed cathode current collector portion.

9. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said gas adsorbing carbon layer contains a gas adsorbing carbon material composed of one or both of carbon black and activated carbon.

10. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

11. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said non-aqueous electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

12. (Withdrawn) A non-aqueous electrolyte battery comprising

a battery device including an anode having an anode mixture containing an anode active material, and a cathode having a cathode mixture containing a cathode active material, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material composed of a carbonaceous material with a specific surface not less than  $30 \text{ m}^2/\text{g}$ , for adsorbing a gas evolved in the battery; and

a film-shaped exterior material housing therein said battery device, said non-aqueous electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to an inner surface of said film-shaped exterior material facing said battery device.

13. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said gas adsorbing carbon layer includes one or both of carbon black and activated carbon.

14. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

15. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said solid electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

16. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein said specific surface is not less than  $180 \text{ m}^2/\text{g}$ .

17. (New) The non-aqueous electrolyte battery according to claim 1, wherein said fluorine-based high molecular material is poly(vinylidene) fluoride or poly(vinylidene) fluoride-co-hexafluoropropylene.

18. (New) The non-aqueous electrolyte battery according to claim 1, wherein, the electrolyte salt includes  $\text{LiPF}_6$  or  $\text{LiBF}_4$ .

19. (New) The non-aqueous electrolyte battery according to claim 1, wherein the non-aqueous solvent contains carbonate or ethylene carbonate.